



**U.S. Environmental Protection Agency
Region 2
290 Broadway
New York, New York 10007**

April 18, 2022

Via Email

Daniel E. Schmitt, Esq.
Senior Counsel
CSX Transportation, Inc.
Law Department
500 Water Street, J150
Jacksonville, FL 32202
Daniel_Schmitt@csx.com

Re: Lower Passaic River Study Area, Diamond Alkali Superfund Site, New Jersey

Dear Mr. Schmitt:

Thank you for your April 14, 2022 letter (Letter) regarding the March 2, 2022 letter from the U.S. Environmental Protection Agency (EPA) to, among others, Pharmacia LLC (Pharmacia), notifying Pharmacia that it is a potentially responsible party with respect to Operable Units 2 and 4 of the Diamond Alkali Superfund Site (Site) and requesting a good faith offer for the performance of the remedial action for Operable Unit 2 (OU2), and the remedial design/remedial action for Operable Unit 4 (OU4).

FOIA Exemption 7(A)

As you know, EPA Region 2 is working with EPA's Conflict Prevention and Resolution Center to retain an impartial third party to convene the recipients of EPA's March 2, 2022 notice letter and provide an initial assessment of the issues, interests, obstacles, and likelihood that a mediation for the parties would be successful. **FOIA Exemption 7(A)**

FOIA Exemption 7(A)

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Instead, we look forward to the participation of Pharmacia and the other noticed parties in the convening process and hope to receive, on or before May 31, 2022, a proposal from the noticed parties that satisfies the good faith requirements in EPA's March 2, 2022 letter.

Sincerely,

**SARAH
FLANAGAN**

Sarah P. Flanagan
Chief, New Jersey Superfund Branch
Office of Regional Counsel

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FLANAGAN
Date: 2022.04.19 12:20:40
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cc: John F. Gullace, Esq., Manko, Gold, Katcher & Fox LLP (for Pharmacia)
Andrew W. Keir, Esq. (U.S. DOJ)